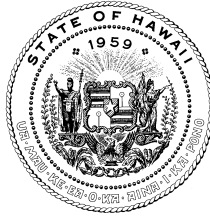


LINDA LINGLE
GOVERNOR OF HAWAII



**STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES**

OFFICE OF CONSERVATION AND COASTAL LAND
POST OFFICE BOX 621
HONOLULU, HAWAII 96809

LAURA H. THIELEN
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

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CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

CONSERVATION DISTRICT USE APPLICATION INSTRUCTIONS

This is the Department of Land and Natural Resources (DLNR), Office of Conservation and Coastal Lands (OCCL), Conservation District Use Application (CDUA) form. This application is to be used to apply for land use(s) within the State of Hawaii Conservation District that require the Board or Department of Land and Natural Resources approval for a Conservation District Use Permit (CDUP).

All proposed land uses within the Conservation District should be reviewed by the Department of Land and Natural Resource pursuant to Title 13 Chapter 5, Hawaii Administrative Rules (HAR). Unless provided for by Title 13, Chapter 5, HAR, land uses shall not be undertaken in the State Land Use Conservation District. Please utilize applicable sections of Title 13, Chapter 5 of the Hawaii Administrative Rules to complete this application.

An application is not considered accepted for processing until the Department has found it complete. Once the Department considers an application "complete", a letter of acceptance will be issued and the statutory 180-day time period will begin. Should a "complete" application not be acted upon within the 180-day time limit, the applicant may automatically put said land to the use(s) requested in the application.

All applications must include the following to be considered "complete" for processing:

- A completed CDUA form with signatures of the landowner(s) and applicant if different from the landowner. Where the landowner is a corporation, trust, association, etc., evidence of authorization for the application shall be included.
- Environmental information required pursuant to Department of Health, Chapter 343, Hawaii Revised Statutes.
- Compliance with applicable County Special Management Area (SMA) Rules and Regulations must be satisfied prior to action on the CDUA.
- The appropriate filing fees as specified pursuant to Title 13, Chapter 5, HAR.

NOTE: No application shall be processed by the Department until violations pending against the subject parcel are resolved pursuant to §13-5-31(e), HAR.

Twenty (20) copies of the completed application and all attachments as required must be submitted. The Environmental Assessment (EA) or Environmental Impact Statement (EIS) document must include a minimum of six (6) hard copies. The balance of the environmental documents may be submitted on CD's in Adobe Acrobat PDF.

Application(s) and attachment(s) should be mailed to:

Department of Land and Natural Resources
Office of Conservation and Coastal Lands
P.O. Box 621
Honolulu, Hawaii 96809

or hand delivered to:

Kalanimoku Bldg. Room 131
1151 Punchbowl Street
Honolulu, Hawaii

For information call: (808) 587-0377

You may download this form and the Conservation District Rules, Chapter 13-5, Hawaii Administrative Rules, at www.hawaii.gov/dlnr/occl.

REQUIRED ATTACHMENTS

For information presented in the environmental document (EA or EIS), please reproduce and attach relevant information in the CDUA or cite specific section and page references to enable reviewers to locate information conveniently in the document.

County Special Management Area Determination

Applications may be subject to County Special Management Area (SMA) requirements. One of the following must be received from the applicable County thirty (30) days prior to Board action on your CDUA:

- A determination that the proposed land use(s) is outside the Special Management Area (SMA) administered by the County;
- A determination that the proposed land use is exempt from the provisions of the County ordinances/regulations specific to Section 205A-29 (b), Hawaii Revised Statutes (HRS); or
- A Special Management Area permit for the proposed use. (Note: An SMA permit or clearance **must** be received by the Department forty-five days prior to the 180 day expiration deadline on an application.)

Should you believe that the subject area is clearly not within the SMA, please state the reason and the OCCL shall review your information regarding this matter.

Maps

Maps should include a north arrow and graphic scale. Attach regional, vicinity and parcel maps. Utilities, roads and access should be presented on a map if available and applicable. If applicable, flora and fauna, and historic sites should also be presented on a map. Submit detailed contour maps for ocean areas and areas where slopes are 20% or more. If the area of proposed use is within fifty feet of the boundary of the Conservation District, please include a map showing the interpretation of the boundary by the State Land Use Commission. This information may be included in the EA.

Photographs

Current color photographs of the area should be submitted with each EA/CDUA.

Plans

All applications and environmental documents shall contain associated plans such as a location map, site plan, floor plan, elevations, and landscaping plans drawn to scale. Additionally, all plans should include a north arrow and graphic scale.

Location/Area Plan. An area plan should include but not be limited to: the relationship of proposed uses to existing and future uses in abutting parcels; identification of major existing facilities; and names and addresses of adjacent property owners.

Site Plan/TMK. Site plans are maps that should include, but are not limited to: dimensions and shape of lot; metes and bounds (including easements and their use); existing features, (including vegetation, water area, roads, utilities, and existing structures).

Construction Plan. Construction plans should include, but not be limited to: existing and proposed changes in contours; all buildings and structures with indicated use and critical dimensions (including floor plans) in square footage; open space and recreation area(s); landscaping (including buffers and fences); roadways (including widths); off-street parking area; existing and proposed drainage; proposed utilities and other improvements; revegetation plans; drainage plans including erosion sedimentation controls; and grading, trenching, filling, dredging and/or soil disposal.

Maintenance Plans. For all uses involving power transmission, fuel lines, drainage systems, unmanned communication facilities and roadways not maintained by a public agency, plans for maintenance shall be included.

Management Plans. If required, refer to §13-5-39, HAR and chapter 13-5, Exhibit 3, HAR entitled "Management Plan Requirements: September 6, 1994."

Historical or Archaeological Site Plan. Where there exists historic or archaeological sites on the property, a plan must be submitted including a survey of the site(s); significant features; protection, salvage, or restoration plans.

Environmental Requirements

Pursuant to the Department of Health, Chapter 343, Hawaii Revised Statutes (HRS), and in accordance with Title 11, Chapter 200, Environmental Impact Statement Rules for applicant actions, a Draft Environmental Assessment of the proposed use must be attached. The Final Environmental Assessment (FEA) must be published forty-five (45) days prior to the 180-day expiration deadline. Failure to meet this deadline may result in negative action on the applicant by the BLNR.

If the proposed actions are within the scope of exemption as defined in Title 11, Chapter 200-8 of the Hawaii Administrative Rules, the applicant should provide written justification for the

exemption. For more information, contact the Office of Environmental Quality Control at (808) 586-4185.

Conservation District Use Application (CDUA) fees

All fees shall be in the form of cash, certified or cashier's check, and payable to the State of Hawaii. Refer to 13-5, HAR, §13- 5-32 to §13-5-39 to determine fees and permit type.

Board Permit

\$100.00 application fee, plus an additional \$100.00 per potential developed acre, or major fraction thereof, up to a maximum of \$2,000.00

Departmental Permit

\$50.00 application fee

Emergency Permit

Waived

Temporary Variance

\$100.00 application fee

Public Hearing Fee

A fee of \$250.00 will be required for a public hearing pursuant to the Hawaii Administrative Rules- §13-5-33, §13-5-34 and §13-5-36.

Pursuant to §13-5-40, HAR, a Public Hearing(s) shall be held for all applications involving the following:

- Land use(s) for commercial purposes
- Change of subzone(s) or boundaries
- Land use(s) in the Protective "P" subzone.
- Land uses(s) as determined by the Chairperson where the scope of the proposed use, or the public interest require one

Other Fees

For land uses requiring Site Plan Approval (SPA) or a Subzone Boundary Determination, applicable information pursuant to §13-5-38, HAR and §13-5-17, HAR respectively should be sent to the Office of Conservation and Coastal Lands in the form of a correspondence.

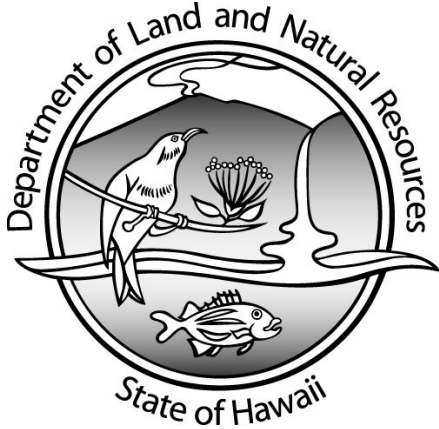
Site Plan Approval

\$50.00 fee

Subzone Boundary Determination

\$50.00 fee

Conservation District Use Application (CDUA)



For DLNR Use

File # _____

Reviewed by _____

Date _____

Accepted by _____
Date _____

180-Day Exp. _____
EA/EIS Required _____

PH Required _____

Decision _____
Date _____

Project Location/Address _____

District/County: _____ Island: _____

Subzone _____ Tax Map Key(s) _____

Total Area of Parcel _____ Area of Proposed Use _____
in sq. ft or acres in sq. ft. or acres

Indicate which of the following approvals are being sought, as specified in the Hawaii Administrative Rules (HAR), Chapter 13-5.

___ **Board Permit**

___ **Departmental Permit**

___ **Emergency Permit**

___ **Temporary Permit**

APPLICANT

Legal Name: _____

Mailing Address: _____

City, State and Zip+4 Code: _____

Contact Person & Title: _____

Phone No.: (____) _____ Fax No.: (____) _____

Email: _____

Interest in Property: _____

***Signature** _____ **Date** _____

*If for a Corporation, Partnership, Agency or Organization, must be signed by an authorized officer.

PROPERTY OWNER(S) *(If other than the applicant)*

Name: _____

Mailing Address: _____

City, State and Zip+4 Code: _____

Contact Person & Title: _____

Phone No.: (____) _____ Fax No.: (____) _____

Email: _____

***Signature** _____ **Date** _____

*For private lands with multiple landowners, landowners whose property interests constitute or exceed 85% of the fee ownership of the subject parcel(s) shall sign the application.

AGENT

Name: _____

Mailing Address: _____

City, State and Zip+4 Code: _____

Phone No.: (____) _____ Fax No.: (____) _____

Email: _____

Signature _____ **Date** _____**Emergency Contact Information**

Contact Person and Title _____ PhoneNo.: _____

Please specify all prior CDUPs received for the subject parcel.

Total Area of Proposed Use: (indicate in acres or sq. feet)_____

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There are approximately 20 lines visible. The paper has a slight shadow on the right side, suggesting it's resting on a surface.

Demonstrate that the proposed use is consistent with the following criteria. Refer to §13-5-30, HAR to review criteria.

Does the proposed land use comply with provisions and guidelines contained in Chapter 205A, Hawaii Revised Statutes (HRS), entitled "Coastal Zone Management," where applicable?

Describe how the proposed land use will not cause substantial adverse impact to existing natural resources within the surrounding area, community or region.

Describe how the proposed land use, including buildings, structures and facilities, will be compatible with the locality and surrounding areas, and to the physical conditions and capabilities of the specific parcel or parcels.

Describe how the existing physical and environmental aspects of the land, such as natural beauty and open space characteristics, will be preserved or improved upon.

If applicable, describe how subdivision of land will not be utilized to increase the intensity of land uses in the Conservation District.

Describe how the proposed land use will not be materially detrimental to the public health, safety and welfare.

ADDITIONAL INFORMATION

Articles IX and XII of the State Constitution, other state laws, and the courts of the State require government agencies to promote and preserve cultural beliefs, practices, and resources of native Hawaiians and other ethnic groups. The Department of Health (DOH), Chapter 343, HRS also requires an Environmental Assessment (EA) of cultural resources in determining the significance of a proposed project.

If applicable, please provide the identity and scope of "valued cultural, historical and natural resources" in which traditional and customary native Hawaiian rights are exercised in the area.

Identify the extent to which those resources, including traditional and customary native Hawaiian rights, will be affected or impaired by the proposed action.

What feasible action, if any, could be taken by the Board of Land and Natural Resources in regards to your application to reasonably protect native Hawaiian rights?

Does the proposed land use have an effect (positive/negative) on public access to and along the shoreline or along any public trail?

Does the proposed use have an effect (positive/negative) on beach processes?

Will the proposed use cause increased runoff or sedimentation?

Will the proposed use cause any visual impact to any individual or community?

EXISTING SITE INFORMATION

To better understand existing features on and of the land, mapping of existing features is requested. Mapping of existing features may be combined. Please include Titles, Legends and North arrows.

Are there existing structures on the parcel? ☐ Yes ☐ No

If yes, please describe below and include/illustrate on a map entitled *existing structures*.

Will any existing structures be demolished or removed? ☐ Yes ☐ No

If yes, describe how below. Please indicate/illustrate demolished structure on a map entitled *structures to be demolished/removed*.

Has the parcel been graded or landscaped? ☐ Yes ☐ No

If yes, describe below. Please describe cubic yards affected and/or area of landscaping on a map entitled *areas previously graded or landscaped*.

Describe existing utilities. Include electricity, water, telephone, drainage, and sewerage. Please illustrate on a map entitled *existing utilities*.

Describe existing access. Illustrate and include roadways and public trails on a map entitled *existing access*. Give major street names if available.

Describe Flora and Fauna. Illustrate general location and types of flora and fauna on a map entitled *resources*. Indicate if rare or endangered native plants and/or animals are present.

Describe topography and submit a map entitled *topography*. If ocean area, give depths. Submit detailed contour maps for ocean area and areas where slopes are 20% or more. Contour maps will also be required for uses involving tall structures, gravity flow and other special cases.

If shoreline area, describe shoreline and surrounding area. Indicate and illustrate if shoreline is sandy, muddy, rocky, cliffs, reefs, or other features (such as access to shoreline) on a map entitled *coastal resources*. A current shoreline certification is required for uses that may affect shoreline resources.

If shoreline area, describe and illustrate any coastal hazards such as erosion, flooding, tsunami, etc. Attach any relevant maps delineating the hazard zone (FEMA, FIRM maps).

Describe existing covenants, easements, and restrictions. If State owned land, indicate present encumbrances.

Identify any historic, archeological or cultural sites within or near the parcel. Please submit or include any preservation or management plan. If applicable, indicate location(s) on a map entitled *historical, archeological, and cultural resources* and describe below.

ADJACENT PROPERTY OWNERS

Please list all adjacent property owners. If no address is available indicate north, south, east and west or mauka, makai or other common county directionals.

Legal Name: _____
Street Address: _____
City, State and Zip code: _____
Mailing Address: _____
City, State and Zip: _____ Phone No.: _____
Property TMK: _____ Location to Project: _____

Legal Name: _____
Street Address: _____
City, State and Zip code: _____
Mailing Address: _____
City, State and Zip: _____ Phone No.: _____
Property TMK: _____ Location to Project: _____

Legal Name: _____
Street Address: _____
City, State and Zip code: _____
Mailing Address: _____
City, State and Zip: _____ Phone No.: _____
Location to TMK: _____ Location to Project: _____

Legal Name: _____
Street Address: _____
City, State and Zip code: _____
Mailing Address: _____
City, State and Zip: _____ Phone No.: _____
Property TMK: _____ Location to Project: _____

PROPOSED SINGLE FAMILY RESIDENTIAL (SFR) PROJECT must comply with Chapter 13-5, Hawaii Administrative Rules-Exhibit 4 entitled "Single Family Residential Standards"

Estimated cost of development (not including cost of land) \$ _____

Maximum Height of proposed residence from base level _____ feet

Building Setbacks Front _____ feet Back _____ feet
 Side _____ feet Side _____ feet

If shoreline parcel or area, indicate the setback from the certified shoreline _____ feet

Total number of floors in structure, including subterranean floors, lofts, porte cashe, mezzanines and garages _____

Total Floor Area (include second story area, garage, decks) _____ sq. ft.

Total Floor Area **excluded** from the Maximum Developable Area (MDA) _____ sq. ft.
 (Floor areas excluded from the MDA must be highlighted on preliminary construction plans.)

	Existing (sq. ft.)	New proposed (sq. ft.)	Total (sq. ft.)
TMK Area		N/A	
Building(s)			
Paved area(s)			
Landscaped area(s)			
Unimproved area(s)			
	Grand Total (should equal TMK area)		

Is any grading proposed? _____ Yes _____ No

<i>If yes, complete the following</i>			
Amount of cut	Cu. yds.	Maximum height of cut slope	ft.
Amount of fill	Cu. yds.	Maximum height of fill slope	ft.
Amount of import or export soil	Cu. yds.	Location of disposal site	

Are utility extensions for the following needed to serve the project?

Water ___ Yes ___ No Electric ___ Yes ___ No

Sewer ___ Yes ___ No Telephone ___ Yes ___ No

Does the project include removal of trees or other vegetation? ___ Yes ___ No

If yes, indicate the number, type and size.

CERTIFICATION

I HEREBY CERTIFY THAT I HAVE READ THIS COMPLETED APPLICATION AND THAT, TO THE BEST OF MY KNOWLEDGE, THE INFORMATION IN THIS APPLICATION AND ALL ATTACHMENTS AND EXHIBITS IS COMPLETE AND CORRECT. I UNDERSTAND THAT THE FAILURE TO PROVIDE ANY REQUESTED INFORMATION OR MISSTATEMENTS SUBMITTED IN SUPPORT OF THE APPLICATION SHALL BE GROUNDS FOR EITHER REFUSING TO ACCEPT THIS APPLICATION, FOR DENYING THE PERMIT, FOR SUSPENDING OR REVOKING A PERMIT ISSUED ON THE BASIS OF SUCH MISREPRESENTATIONS, OR FOR SEEKING OF SUCH FURTHER RELIEF AS MAY SEEM PROPER TO THE LAND BOARD.

I HEREBY AUTHORIZE REPRESENTATIVES OF THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO CONDUCT SITE INSPECTIONS ON MY PROPERTY. UNLESS ARRANGED OTHERWISE, THESE SITE INSPECTIONS SHALL TAKE PLACE BETWEEN THE HOURS OF 8:00 A.M. AND 4:30 P.M.

*Signature of Authorized Agent(s) or if no agent, signature of **Applicant***

AUTHORIZATION OF AGENT

I HEREBY AUTHORIZE _____ TO ACT AS MY REPRESENTATIVE AND TO BIND ME IN ALL MATTERS CONCERNING THIS APPLICATION.

Signature of Applicant(s)

Date _____